(b) where the property is sold in pursuance of a decree declaring its liability to sale in satisfaction of a mortgage or charge, before such decree,

may, at any time within thirty days from the date of the sale, apply to have the sale set aside on his depositing in Court–

(i) for payment to the purchaser, a sum equal to five per centum of the purchase money, and,

(ii) for payment to the decree-holder, a sum equal to the purchase money, together with the costs of the attachment and sale;

Provided that, if a person applies under section 311 to set aside the sale of his immovable property, he shall not, unless he withdraws his application, be entitled to make or prosecute an application under this section.

(2) Where immovable property has been sold under this Chapter by separate lots in execution of a decree, an application with regard to one or more of such lots may be made under this section.

(3) Any person making an application under this section shall be bound to implead the purchaser and the decree-holder as parties thereto; and, where the purchaser and the decree-holder are not so impleaded, the application shall be dismissed.

(4 Where any sale is set aside by an order made under this section, the property sold shall not be liable to be again attached in execution of the same decree unless such order is set aside in appeal or otherwise."

Amendment of section 315 of the Code.

3. In section 315 of the said Code, the figures and letter "310 A" shall be inserted after the word "section" and before the figures "312."

Addition of new section after section 582 of the Code.

4. After section 582 of the said Code, the following section shall be added, namely:—

Validation of certain memoranda of appeals or applications for review of judgment.

582 A. If a memorandum of appeal or application for a review of judgment has been presented within the proper period of limitation, but is written upon paper insufficiently stamped and the insufficiency of the stamp was caused by a mistake on the part of the appellant or applicant as to the amount of the requisite stamp, the memorandum of appeal or application shall have the same effect and be as valid as if it had been properly stamped: Provided that such appeal or application shall be rejected unless the appellant or applicant supplies the requisite stamp within a reasonable time after the discovery of the mistake, to be fixed by the Court."

V. P. MADHAVA RAO,
Dewan of Mysore.

Notification No. J. 225—Cts. 202-05-6, dated 25th July 1906.

The following alteration proposed by the Chief Court, in the rules relating to the custody of attached movables, published with Government Notification No. 4671—399, dated the 12th October 1899, is sanctioned:—

For Rule 8 of the said rules the following shall be substituted, namely:—

"If the property attached consists of cash, Government or other securities, jewels or other valuable articles of small bulk, the Nazir or Deputy Nazir may put the same together with a descriptive list in a box (other than the ordinary cash chest of the Court) under his lock and seal and send it for safe custody to the nearest Government Treasury In other cases, attached property brought to the Court shall be retained by the Nazir in the Court-house, if it can be conveniently stored or kept there."

By Order,
K. S. CHANDRASEKHARA AIYAR,
Secy. to Govt., Gen. & Rev. Depts.